

Amendments to the Claims

This listing of claims will replace all prior versions and listings of claims in the present application.

1. (presently amended) A method of imparting drought stress tolerance ~~resistance~~ to plants comprising:
 applying a hypersensitive response elicitor protein or polypeptide in a non-infectious form to a plant, and
 growing the plant under drought conditions, whereby said applying imparts to the plant ~~under conditions effective to impart drought stress tolerance resistance.~~

2. (original) The method according to claim 1, wherein the hypersensitive response elicitor protein or polypeptide is derived from *Erwinia*, *Pseudomonas*, *Xanthomonas*, or *Phytophthora*.

3. (presently amended) The method according to claim 2, wherein the hypersensitive response elicitor protein or polypeptide is derived from *Erwinia amylovora*, *Erwinia carotovora*, *Erwinia chrysanthemi*, ~~and~~ or *Erwinia stewartii*.

4. (original) The method according to claim 2, wherein the hypersensitive response elicitor protein or polypeptide is derived from *Pseudomonas syringae* or *Pseudomonas solanacearum*.

5. (original) The method according to claim 2, wherein the hypersensitive response elicitor protein or polypeptide is derived from a *Xanthomonas* species.

6. (withdrawn) The method according to claim 2, wherein the hypersensitive response elicitor protein or polypeptide is derived from a *Phytophthora* species.

7. (presently amended) The method according to claim 1, wherein the plant is selected from the group consisting of rice, wheat, barley, rye, cotton, sunflower, peanut, corn, potato, sweet potato, ~~bean-pea~~ bean, pea, chicory, lettuce, endive, cabbage, cauliflower, broccoli, turnip, radish, spinach, onion, garlic, eggplant, pepper, celery, carrot, squash, pumpkin, zucchini, cucumber, apple, pear, melon, strawberry, grape, raspberry, pineapple, soybean, tobacco, tomato, sorghum, and sugarcane.

8. (original) The method according to claim 1, wherein the plant is selected from the group consisting of rose, Saintpaulia, petunia, pelargonium, pointsettia, chrysanthemum, carnation, and zinnia.

9. (presently amended) The method according to claim 1, wherein said applying is carried out prior to ~~a drought~~ said growing the plant under drought conditions.